IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24948 of 2004

Between:

Abdul Wahab S/o late Nandyal Rasool Sab
R/o MACCA Masjd, Mahabunbnagar District. -509 001

..... PETITIONER

AND

The Joint Collector, Collector Office,
Mahabubnagar.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not disposing the appeal No.D1/9/2000 pending before Reserve for orders since two years, and also direct the respondent to dispose of the said Appeal No.D1/9/2k, interest of Justice .

Counsel for the Petitioner: MR. M.D.AFZAL

Counsel for the Respondent: GP FOR REVENUE

The Court at the admission stage made the following :

ORAL ORDER:

Heard both sides and with their consent, the writ petition is disposed of at the stage of admission.

The case of the petitioner is that his father was pattedar of Ac.15.30 guntas of land in Sy. No. 504 of Kaukuntla village in Devarakadra Mandal and taking advantage of his old age two persons viz., Pebbati Govind and Pebbati Masi Reddi occupied the said land and obtained pass books from the Mandal Revenue Officer, Devarakadra Manal vide proceedings No. PS/ROR/202/94. After the death of his father in 1996, the petitioner states that when he applied for grant of Succession Certificate, the Mandal Revenue Officer, cancelled the patta granted in favour of Govind and Masi Reddy, and issued Succession Certificate in favour of the petitioner and his brother vide proceedings No. B1/2339/ROR/96. Aggrieved thereby, the said Govind and Masi Reddy preferred appeal before the Revenue Divisional Officer, Narayanpet, Mahaboobnagar, and while the said appeal is pending, the Revenue Divisional Officer, cancelled the Succession Certificate granted in favour of the petitioner and his brother, vide proceedings F/1666/2000, dated 15-7-2000. Aggrieved by the same, the petitioner claims to have preferred an appeal before the Joint Collector-

respondent, which was registered under ROR Act vide No. D1/9/2000.

It is his grievance that though respective counsel advanced arguments two years back in the appeal, and though the appeal has been posted for orders, the respondent has not passed any orders on the appeal, and therefore, the petitioner filed this writ petition, seeking directions to the respondent to dispose of the appeal pending before him.

Inasmuch as the appeal filed by the petitioner is said to be pending before the respondent, without going into the merits of the case, I deem it appropriate to dispose of the writ petition with the following directions:

The respondent is directed to consider and dispose of the appeal said to have been preferred by the petitioner against the orders of the Revenue Divisional Officer, in accordance with law, expeditiously. No costs.

SD/- P.V.RADHAKRISHNA RAO

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Joint Collector, Collector Office,
Mahabubnagar.

2. Two C.Cs to G.P.for Revenue, High Court of A.P., Hyderabad (OUT)

3. Two C.D.copies.

P.M.

DATED: 31-12-2004

ORDER

WP.NO. 24948 OF 2004

Disposing of the WP

Without costs.